

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

IN RE: AVRAHAM K SCHWARCZ,
ANA M SCHWARCZ
Debtors

* CASE NO. 10-10675-B-11

* CHAPTER 11 PROCEEDING

**DEBTORS' EXPEDITED MOTION
TO SET BAR DATE FOR FILING CLAIMS**

RULE 9013 NOTICE

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING, UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

TO THE HONORABLE RICHARD S. SCHMIDT, UNITED STATES BANKRUPTCY JUDGE:

NOW COMES, Avraham & Ana Schwarcz, debtor-in-possession ("debtor") and files this Expedited Motion to Set Bar Date for Filing Claims pursuant to Bankruptcy Rule 3003(c)(3) to establish a claims bar date, and in support thereof, would show this Court the following:

1. On October 1, 2010 (the "Petition Date"), debtors filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code with the Clerk of this Court. The debtors have

Avraham & Ana Schwarcz

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continued to operate their businesses and manage their assets as debtors in possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

2. No Trustee or examiner has been appointed in the debtors' chapter 11 case, nor has any creditors' or other official committee been appointed herein pursuant to section 1102 of the Bankruptcy Code.

3. This Court has jurisdiction with respect to this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Venue of the debtors' chapter 11 case and this Motion in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409. The predicate for this Motion is Rule 3003(c)(3) of the Federal Rules of Bankruptcy Procedure.

4. In order to efficiently proceed with the administration of this case it is necessary to have an Order entered providing for the filing of all proofs of claim on or before a date certain.

5. In particular, the debtors' Plan of Reorganization is currently being prepared and will be filed very soon and the debtor intends to prosecute this case as expeditious as possible. Debtor needs information concerning all the claims that must be considered prior to confirmation.

6. Debtor requests that the Court enter an Order providing that all claims against the estate which are required to be filed pursuant to Bankruptcy Rule 3003(c)(2) by parties who are timely notified in writing by the Debtor of the proposed Bar Date be barred if their claim is not filed on or before **February 14, 2011** a date which is some 90 days after the date first set for meeting of creditors, and which will be in excess of the 20 days notice of the Bar Date required by Rule 2002(a)(7).

7. The debtor requests that the Court approve the form of the Notice of Claims Bar Date and Order Related Thereto attached hereto as Exhibit "A" for mailing to the creditors and parties in interest in this estate. The Notice will require that all parties having claims against property of the estate must file a timely proof of claim. Such claims will have significant impact on the overall administration of this case.

WHEREFORE, debtor prays that this Court enter an order setting a deadline for filing proofs of claims, approving the attached form of notice of same, and for such other and further relief to which debtor may be justly entitled both at law and equity.

Respectfully Submitted,
Malaise Law Firm

by: /s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez
State Bar No. 00795621
Admissions. No. 19945
1265 N. Expressway 83
Brownsville, Texas 78521
Tel. 956-547-9638
Fax. 956-547-9630
email (evr@malaiselawfirm.com)
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify a true and correct copy of the foregoing *Motion* has been served upon the Debtor, the Trustee, the U.S. Trustee, all known creditors and all parties requesting notice by First Class U.S. Mail, postage prepaid and properly addressed, all as shown on the attached service list, unless otherwise requested by electronic filing, on November 5th, 2010.

United States Trustee
Barbara Jue
Wilson Plaza, Ste. 1107
606 N. Carancahua
Corpus Christi, Texas 78476

Avraham & Ana Schwarcz
1474 W. Price Road # 604
Brownsville, Texas 78520

and upon all creditors shown on attached matrix.

/s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez

EXHIBIT "A"

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

IN RE: DR. JEFFERY REESE § CASE NO. 10-10675 -B-11
Debtor §
§
§ CHAPTER 11 PROCEEDING

NOTICE OF CLAIMS BAR DATE AND ORDER RELATING THERETO

TO ALL CREDITORS AND OTHER PARTIES IN INTEREST :

PLEASE TAKE NOTICE, that the United States Bankruptcy Court has entered an Order dated _____, 2010 providing as follows:

CLAIMS BAR DATE: Any person served with this Notice who alleges to have a claim against the Debtor's estate shall file a written Proof of Claim on or before **FEBRUARY 14, 2011**, or such claim NOT timely filed shall be disallowed for all purposes, including voting and distribution on the Debtor's Plan of Reorganization; provided, however, that any creditor scheduled for the proper amount of its claim where such claim is listed by the Debtor on its schedules as not contingent, undisputed, and liquidated, or, any such creditor having previously filed a Proof of Claim, need not re-file such Proof of Claim or file a claim, as the case may be.

**PROOFS OF CLAIMS MUST BE FILED WITH THE CLERK OF THE COURT
AND A COPY MAILED TO THE DEBTOR'S COUNSEL AT THE FOLLOWING
ADDRESS:**

TO THE COURT: United States Bankruptcy Court
Southern District of Texas, Brownsville Division
1133 N. Shoreline Blvd.
Corpus Christi, Texas 78401

TO THE DEBTOR: Avraham & Ana Schwarcz
1474 W. Price Road # 604
Brownsville, Texas 78520

TO DEBTOR'S ATTORNEY: Eduardo V. Rodriguez
MALAISE LAW FIRM
1265 North Expressway 83
Brownsville, TX 78520

Dated: _____

Respectfully Submitted,
Malaise Law Firm

by: /s/ Eduardo V. Rodriguez
Eduardo V. Rodriguez
State Bar No. 00795621
Admissions. No. 19945
1265 N. Expressway 83
Brownsville, Texas 78521
Tel. 956-547-9638
Fax. 956-547-9630
email (eduardor@malaiselawfirm.com)
Counsel for Debtors

Abelardo Limon
LIMON LAW OFFICE
890 West Price Road
Brownsville, TX 78520

Avraham M. Mouzouz

Citi Cards
P.O. Box 6077
Sioux Falls, SD 57117-6077

Acura Finance Services
P.O. Box 7829
Philadelphia, PA 19101

Bank Of America
De5-019-03-07
Newark, DE 19714
Bad Address

CitiBusiness Card
P.O. Box 183051
Columbus, OH 43218-3051

Advanta Bank Corp
P.O. Box 8088
Philadelphia, PA 1910-8088

Capital 1 Bank
Attn: C/O TSY'S Debt Management
PO Box 5155
Norcross, GA 30091

City of New Jersey
Tax Collector's Office
Room #101 City Hall
280 Grove St.
Jersey City, NJ 07302

Alberto and Irma Medrano
9927 Sageroyal
Houston, TX 77089

Cardmember Service
P.O. Box 94014
Palatine, IL 60094-4014

Client Services, Inc.
3451 Harry Truman Blvd.
St. Charles, MO 63301-4047

Alliant Law Group, P.C.
2841 Junction Avenue, Suite 128
San Jose, CA 95134

Cardmember Service
P.O. Box 15548
Wilmington, DE 19886-5548

Continental Airlines
Cardmember Service
P.O. Box 94014
Palatine, IL 60094-4014

American Express
Platinum Delta SkyMiles
P.O. Box 650448
Dallas, TX 75265-0448

Chase
Po Box 15298
Wilmington, DE 19850

Continental Airlines
Cardmember Service
P.O. Box 94014
Palatina, IL 60094-4014

Amtrust Bank
1801 E 9th St
Cleveland, OH 44114

Chase
Cardmember Service
P.O. Box 94014
Palatina, IL 60094-4014

Countrywide Home Lending
Attention: Bankruptcy SV-314B
PO Box 5170
Simi Valley, CA 93062

AT&T Universal Card
P.O. Box 182564
Columbus, OH 43218-2564

Chase
Cardmember Service
P.O. Box 94014
Palatine, IL 60094-4014

E-Z Pass
New York Service Center
P.O. Box 15187
Albany, NY 12212-5187

Aviana Consultants, LLC

Chase - Cc
Attention: Bankruptcy Department
PO Box 15298
Wilmington, DE 19850

Ernetso Garcia, Landlord
5505 Lamp Light Pass
Brownsville, TX 78520

Aviana Investments

Citi
Po Box 6241
Sioux Falls, SD 57117

Fifth Third Bank
C/O Bankruptcy Dept, MDROPSO5
1850 East Paris
Grand Rapids, MI 49546

First Horizon Home Loans
4000 Horizon Way
Attn: Bankruptcy
Irving, TX 75063

LTD Financial Services, L.P.
7322 Southwest Freeway, Suite 1600
Houston, TX 77074

Surfside II Condominiums
P.O Box 2831
South Padre Island, TX 78597

Franke, Inc. Realtors
Kevin C. Franke
8605 Padre Boulevard
South Padre Island, TX 78597

NCO Financial Systems, Inc.
P.O. Box 12100
Dept. 64
Trenton, NJ 08650

Td Bank N.a.
32 Chestnut St
Lewiston, ME 04240

Furcron Property Management Co.
4800 Padre Blvd.
South Padre Island, TX 78597

P.T. Moore, Jr.
LAW OFFICES OF PAUL Y. CUNNINGHAM
P.O. Box 2729
South Padre Island, TX 78597

The Shores Association
c/o Burton, McCumber & Cortez, LLP
1950 Paredes Line Road
Brownsville, TX 78521

Gemb/mattress Firm
Po Box 981439
El Paso, TX 79998

Parklane Homeowners Association
c/o Furcron Property Mgmt Co.
4800 Padre Blvd.
South Padre Island, TX 78597

Tropical Texas Vacation Rentals, LLC

Hsbc/frnrw
Po Box 703
Wood Dale, IL 60191

Peoples Bk Credit Card Services
Attn: Bankruptcy
PO Box 7092 RCCB 0680
Bridgeport, CT 06601

Tropical Texas Vacation Rentals, LLC

Kessler
4716 Gettysburg Road
Mechanicsburg, PA 17055

Pitney Bowes
2225 American Drive
Neenah, WI 54956-1005

United Collection Bureau, Inc.
5620 Southwyck Blvd., Suite 206
Toledo, OH 43614

Lacks Valley Stores Lt
1300 San Patricia
Pharr, TX 78577

Reliant Energy
P.O. Box 650475
Dallas, TX 75265-0475

Unvl/citi
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195

Leading Edge Recovery Solutions
P.O. Box 129
Linden, MI 48451-0129

Sears/cbsd
701 East 60th St N
Sioux Falls, SD 57117

Valentine & Kebartas, Inc.
P.O. Box 325
Lawrence, MA 01842-0625

Lender Business Process Services
P.O. Box 7162
Pasadena, CA 91109-7162

Seaside Services, LLC
P.O. Box 3203
South Padre Island, TX 78597

Vantage Sourcing
Post Office Box 6786
Dothan, AL 36302

Lender Business Process Services
P.O. Box 4121
Beaverton, OR 97076-4121

Select Medical - Kessler
AR Resources, Inc.
P.O. Box 1056
Blue Bell, PA 19422

Verizon Wireless
P.O. Box 660108
Dallas, TX 75266-0108

Wash Mutual/providian
Attn: Bankruptcy Dept
PO Box 10467
Greenville, SC 29601

Wells Fargo Hm Mortgag
3476 Stateview Blvd
Fort Mill, SC 29715